

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

DEMUN D. WALKER,	)	
	)	
Petitioner,	)	
	)	
v.	)	No. 4:11CV00053 ERW
	)	
DAVE DORMIRE,	)	
	)	
Respondent.	)	

**MEMORANDUM AND ORDER**

This matter is before the Court on petitioner's petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. The petition is successive and shall be summarily dismissed.

Rule 4 of the Rules Governing § 2254 Cases in the United States District Courts provides that a district court shall summarily dismiss a § 2254 petition if it plainly appears that the petitioner is not entitled to relief.

Petitioner challenges his November 20, 2001 conviction for unlawful use of a weapon, stealing a motor vehicle and burglary, imposed by the Circuit Court for St. Louis County, Missouri, as well as his probation revocation on October 24, 2002. Petitioner first brought a petition for writ of habeas corpus challenging these judgments on October 29, 2007. Walker v. Missouri, 4:07CV1859 ERW (E.D. Mo.). The Court dismissed the first petition as time-barred. Id. The United States Court of Appeals for

the Eighth Circuit did not issue petitioner a certificate of appealability. Walker v. Missouri, Case No. 08-1917 (8th Cir. 2008). Petitioner subsequently brought second and third petitions for writ of habeas corpus challenging these judgments, which were summarily denied. See Walker v. Missouri, 4:08CV903 ERW (E.D. Mo.); Walker v. Missouri, 4:08CV1307 ERW (E.D. Mo.). This is petitioner's fourth attempt to challenge these same judgments.

To the extent that petitioner seeks to relitigate claims that he brought in his original petition, those claims must be denied pursuant to 28 U.S.C. § 2244(b)(1). To the extent that petitioner seeks to bring new claims for habeas relief, petitioner must obtain leave from the United States Court of Appeals for the Eighth Circuit before he can bring those claims in this Court. 28 U.S.C. § 2244(b)(3)(A). Petitioner has not been granted leave to file a successive habeas petition in this Court. As a result, the petition shall be dismissed.

Accordingly,

**IT IS HEREBY ORDERED** that petitioner's petition for writ of habeas corpus is **DISMISSED**.

So Ordered 3rd day of February, 2011.



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E. RICHARD WEBBER  
UNITED STATES DISTRICT JUDGE